

Appl. No. 10/639,000
Anldt. Dated: Nov. 4, 2005
Reply to Office Action of October 5, 2005

REMARKS

By the above amendments, Applicant has amended claims 1, 8, and 14. Claims 1, 4-8, 11-14, and 17-20 remain pending in the application.

The specification

Responsive to the objection to the title based on an informality, Applicant has changed the title from "GAS DISCHARGE DISPLAY" to "GAS DISCHARGE DISPLAY DEVICE INCLUDING NEON AND KRYPTON GAS." The new title is clearly indicative of the invention to which the claims are directed. Withdrawal of the objection is respectfully requested.

Claim Rejections under 35 U.S.C. 102(b)

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kurai (U.S. Patent 6,057,643).

In response to the rejection of claims 1-20, Applicant has amended claims 1, 8, and 14, and has previously cancelled claims 2, 3, 9, 10, 15, and 16 (as acknowledged by the Examiner at Page 2 of present Office Action).

Amended claim 1 recites in part:

a gas mixture as the discharge gas, which consists essentially of neon and krypton. . . (Emphasis added.)

Appl. No. 10/639,000
Amtd. Dated: Nov. 4, 2005
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Applicant submits that such a gas discharge display, as set forth in amended claim 1, is neither taught, disclosed, nor suggested by Kurai '643 or any of the other cited references, taken alone or in combination.

According to Kurai, the discharge gas mixture employed thereby includes at least three types of gas, i.e., neon, krypton and xenon gases (e.g., claims 1, 4, and 9). However, according to the amended claim 1 of the present application, the gas mixture as the discharge gas is consisted essentially of only neon and krypton gas. Therefore, the gas mixture of amended claim 1 differs from that of the cited reference. The amended claim 1 is thus novel over the cited reference. Even more importantly, Kurai discloses that the presence of xenon is critical to the gas mixture thereof. Specifically, Kurai recites, in part:

During the surface discharge the fluorescent materials are excited by the ultra violet ray emitted from the xenon gas in the discharge gas, so as to emit the color R, G or B, respectively. (Column 4, lines 18-21)

This passage indicates that, in Kurai, xenon is relied upon in the process of exciting the fluorescent material to achieve the desired color emission. Accordingly, it further would not have been obvious to one of ordinary skill in the art to have modified Kurai to use a discharge gas free of xenon, as such a modification would have rendered Kurai unsatisfactory for achieving the desired color emission in the manner set forth by the reference (MPEP

Appl. No. 10/639,000
Amtd. Dated: Nov. 4, 2005
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§2143.01). Therefore, Applicant submits that Kurai '643, whether taken alone or in combination with any of the other cited references, fails to teach, disclose, or suggest the present display device, as set forth in claim 1, as amended.

In summary, amended claim 1 is submitted to be novel, unobvious and patentable over Kurai under both s.102(b) and s.103. Reconsideration and withdrawal of the rejection and allowance of claim 1 are respectfully requested.

Claims 2-3 have been canceled, and the rejection relating thereto is now moot.

Claim 4 depends directly from claim 1, and claims 5-7 depend indirectly from claim 1. Therefore claims 4-7 should also be allowable.

Claim 8, as amended, recites in part:

a discharge gas confined in the discharge spaces, the discharge gas consisting essentially of neon and krypton . . . (Emphasis added.)

As such, claim 8, as amended, sets forth similar pertinent subject matter as that provided in claim 1. For reasons similar to those asserted above in relation to claim 1, Applicant submits that amended claim 8 should also be allowable.

Appl. No. 10/639,000
Amtd. Dated: Nov. 4, 2005
Reply to Office Action of October 5, 2005

Claims 9-10 have been canceled, and the rejection relating thereto is now moot.

Claim 11 depends directly from claim 1, and claims 12-13 depend indirectly from claim 8. Therefore claims 11-13 should also be allowable.

Claim 14, as amended, recites in part:

the discharge gas is a gas mixture which consists essentially of neon and krypton . . . (Emphasis added.)

As such, claim 14, as amended, sets forth similar pertinent subject matter as that provided in claim 1. For reasons similar to those asserted above in relation to claim 1, Applicant submits that amended claim 14 should also be allowable.

Claims 15-16 have been canceled, and the rejection relating thereto is now moot.

Claim 17 depends directly from claim 14, and claims 18-20 depend indirectly from claim 17. Therefore claims 17-20 should also be allowable.

Appl. No. 10/639,000
Amdt. Dated: Nov. 4, 2005
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In view of the foregoing, the present application as claimed in the pending claims is considered to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,

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